

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:14cv91**

**KENNETH D. BELL, in his capacity as court-
appointed Receiver for Rex Venture Group, LLC
d/b/a ZeekRewards.com,**

Plaintiff,

vs.

**TODD DISNER, in his individual capacity and in his
capacity as trustee for Kestrel Spendthrift Trust;
TRUDY GILMOND; TRUDY GILMOND, LLC;
JERRY NAPIER; DARREN MILLER; RHONDA
GATES; DAVID SORRELLS; INNOVATION
MARKETING, LLC; AARON ANDREWS; SHARA
ANDREWS; GLOBAL INTERNET FORMULA,
INC.; T. LEMONT SILVER; KAREN SILVER;
MICHAEL VAN LEEUWEN; DURANT
BROCKETT; DAVID KETTNER; MARY
KETTNER; P.A.W.S. CAPITAL MANAGEMENT
LLC; LORI JEAN WEBER; and a Defendant Class
of Net Winners in ZEEKREWARDS.COM;**

Defendants.

ORDER

This matter is before the Court on defendant class member Jeff Pollard's *pro se* "Notice of Failure of Service of Process Demand to Set Aside Final Judgment. (Doc. No. 193). The Receiver has responded and the motion is ripe for disposition.

Mr. Pollard won \$3,585 in the ZeekRewards scheme and a Final Judgment of \$4,815 was entered against him on August 14, 2017. A motion to reconsider a Judgment (here presumably under Rule 59(e)) may be granted to prevent manifest injustice, to accommodate for an intervening change in controlling law, to account for newly discovered evidence or to correct a

clear error of fact or law. *See EEOC v. Lockheed Martin Corp.*, 116 F.3d 110, 112 (4th Cir. 1997).

None of these grounds apply to this action. There has been no intervening change in controlling law, newly discovered evidence or clear error of fact or law since the entry of the Final Judgments. Therefore, is no manifest injustice here and there are no valid grounds to alter or amend the Judgments. Pollard was served and provided notice in full accordance with the prior orders of this Court as a member of the Net Winner Class. Also, Pollard had admittedly produced no evidence beyond his conclusory denial of liability for the amount of the Final Judgment.

IT IS THEREFORE ORDERED that this motion is hereby DENIED.

Signed: January 4, 2018

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

